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BEFORE THE ARIZONA CORPORATION COMMISSION

SUSAN BITTER SMITH

Chairman

BOB STUMP

Commissioner

BOB BURNS

Commissioner

DOUG LITTLE

Commissioner

TOM FORESE

Commissioner

Arizona Corporation Commission

DOCKETED

MAR 16 2015

DOCKETED BY

IN THE MATTER OF THE APPLICATION  
OF NAVOPACHE ELECTRIC  
COOPERATIVE, INC., FOR A  
DETERMINATION OF THE FAIR VALUE  
OF ITS PROPERTY FOR RATEMAKING  
PURPOSES, TO FIX A JUST AND  
REASONABLE RATE OF RETURN  
THEREON, TO APPROVE RATES  
DESIGNED TO DEVELOP SUCH  
RETURN, AND FOR RELATED  
APPROVALS.

DOCKET NO. E-01787A-14-0302

DECISION NO. 74995

ORDER

Open Meeting  
March 2 and March 3, 2015  
Phoenix, Arizona

BY THE COMMISSION:

Having considered the entire record herein and being fully advised in the premises, the  
Arizona Corporation Commission ("Commission") finds, concludes and orders that:

**FINDINGS OF FACT**

1. In Decision No. 73649, dated February 6, 2013, the Commission adopted a new  
section in the Arizona Administrative Code ("A.A.C.") R14-2-107, establishing an alternative  
streamlined ratemaking application and process for non-profit cooperatives providing electric or  
natural gas utility service ("Rule 107"). This Decision also amended the existing rule establishing the  
filing and processing requirements for a public service corporation rate application ("Rule 103").

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1           2.       On July 9, 2014, Navopache Electric Cooperative, Inc. ("NEC" or "the Cooperative")  
2 began the process of a rate application under Rule 107 by submitting to the Commission's Utilities  
3 Division ("Staff") a Request for Pre-Filing Eligibility Review in accordance with A.A.C. R14-2-107(C).

4           3.       On August 14, 2014, NEC met with Staff in accordance with A.A.C. R14-2-107(C)(3)  
5 to review eligibility in filing under Rule 107, finalize the form of customer notice and discuss a  
6 proposed form of recommended order.

7           4.       On August 14, 2014, NEC filed a Request for Docket Number and Notice of Filing  
8 and a Proposed Form of Customer Notice. A Docket Number was assigned opening this rate  
9 application docket.

10          5.       On August 29, 2014, NEC filed a certification of mailing for the Customer Notice.  
11 The Customer Notice was mailed via first class mail to all NEC customers on August 21, 2014. The  
12 customer notice set a deadline of September 24, 2014, for customers of NEC to file intervention  
13 requests and/or objections to the rate application that NEC anticipated filing no later than September  
14 15, 2014.

15          6.       On September 11, 2014, NEC filed its application for a rate increase ("the  
16 Application") under Rule 107 in Docket No. E-01787A-14-0302.

17          7.       By the close of business on September 24, 2014, the Commission had received 15  
18 objections to the rate increase, below the 1,000 required to make NEC ineligible for the Rule 107  
19 process. There were no intervention requests filed.

20          8.       On October 8, 2014, Staff filed a notice of eligibility in the docket indicating that NEC  
21 met all of the requirements outlined in Rule 107.

22          9.       On October 8, 2014, Staff filed a notice of sufficiency indicating the data provided by  
23 NEC in the Application were sufficient in meeting the requirements of a cooperative rate application.

24 **DESCRIPTION OF NEC**

25          10.       NEC is a member-owned Arizona non-profit rural electric cooperative with its  
26 principal business office in Lakeside, Arizona. NEC is a public service corporation providing electric  
27 distribution service to approximately 38,399 meters in Navajo, Apache, Greenlee and Gila counties in  
28 Arizona and approximately 1,553 meters in Catron County, New Mexico.

1           11.     NEC is a Class A Utility under A.A.C. R14-2-103(A)(3)(q).

2           12.     NEC receives its power supply under a power supply contract with Public Service  
3 Company of New Mexico.

4           13.     NEC has an 8-member Board of Directors ("Board") elected to oversee all aspects of  
5 the Cooperative's operations and approve the annual operating budget. The Board approved the  
6 filing of this application at a special meeting of the Board held on June 18, 2014.

7           14.     NEC's last rate case was filed on April 29, 2011 (based on a test year ending April 30,  
8 2010) and approved in Decision No. 73255 on July 30, 2012. The current rates went into effect  
9 August 1, 2012, for NEC's Arizona customers.

#### 10 **NEC PROPOSALS**

11           15.     In the Application, NEC utilized a test year ending December 31, 2013.

12           16.     Also in the Application, NEC requested to increase its rates to produce an additional  
13 \$1,908,652 in system-wide base revenue over actual test year base revenues of \$47,720,186. This  
14 increase represents an increase of 4.0% over actual test year base revenue (the increase is \$1,646,693  
15 when compared to adjusted test year base revenue and represents an increase of 3.43% over adjusted  
16 test year base revenue).

17           17.     In its filing, NEC stated the rate application would result in system-wide Operating  
18 Income of \$4,465,647 and Net Income of \$2,114,358.

19           18.     NEC stated the rate increase is necessary to recover increased operating costs in the  
20 categories of operation and maintenance, consumer accounts, customer service and information, sales,  
21 administrative and general, depreciation and amortization, taxes, interest and payroll. The rate  
22 increase would allow NEC to maintain the financial integrity of the Cooperative.

23           19.     As attachments to the Application, NEC submitted audited financial statements for  
24 the year ended April 30, 2014, and a copy of its certified annual financial and statistical report to the  
25 National Rural Utilities Cooperative Finance Corporation ("CFC") for calendar year 2013.

#### 26 **COOPERATIVE ELIGIBILITY**

27           20.     For a cooperative to utilize the streamlined rate case process referred to as Rule 107,  
28 several eligibility requirements must be met prior to beginning the process. As documented in the

1 notice of eligibility, Staff agrees that NEC has taken the necessary steps to comply with the eligibility  
2 requirements of Rule 107.

### 3 **STAFF ANALYSIS**

4 21. As part of its review of the Application, Staff reviewed the purchased power costs; the  
5 fuel bank balance; the base revenue increase and test year data; the level of increase requested for each  
6 rate schedule/class; the applicability of the capital projects and plant in service ("PIS"); the  
7 acceptability of system losses and reliability indices; the proposed rate base, revenue, and expenses;  
8 and the proposed revenue requirement. Staff also completed a compliance review.

9 22. NEC and Staff, the only parties to this case, are in agreement on all issues in this case.

#### 10 Purchased Power Costs

11 23. NEC reported actual purchased power costs for the test year equal to \$28,264,346.  
12 Several adjustments to purchased power costs were included increasing purchases power costs by  
13 \$4,424,136. The majority of the increase in purchased power costs was related to transmission  
14 refunds processed during the test year equal to \$4,209,262 which reduced purchased power during the  
15 test year. The additional \$214,874 in adjustments to purchased power costs are related to adjustments  
16 in billing units and rates that are necessary to make the test year more representative of NEC  
17 purchased power costs in the future. Staff was able to track and verify the purchased power costs  
18 through a sampling of invoices provided by NEC to support the reported costs.

19 24. NEC and Staff agree on the adjusted purchased power costs filed in the Application.

20 25. NEC did not calculate a new base cost of power in the Application. Rule 107 specifies  
21 that the increase request of a maximum of 6% is in base revenue not attributed to revenue from an  
22 adjustor mechanism. The base cost of power (\$0.066160 per kWh) established in Decision No. 73255  
23 remains unchanged for the purpose of calculating the Purchased Power Cost Adjustor ("PPCA").  
24 The PPCA is designed to recover or refund the difference between the base cost of power included in  
25 the Cooperative's base rates and the actual cost of power.

26 26. However, in the Application, the adjustments to purchased power costs noted above  
27 were originally processed through the PPCA. Because these costs flowed through the PPCA during  
28 the test year, it was necessary to re-calculate the PPCA revenue and restate the PPCA for purposes of

1 the adjusted test year revenue. A PPCA revenue adjustment was incorporated in the adjusted test year  
2 PPCA revenue to account for what should have been collected by the PPCA when comparing  
3 adjusted purchased power costs to the revenue already collected through base rates. Staff matched the  
4 \$1,921,006 PPCA revenue adjustment in NEC's application.

5 27. In addition, as the PPCA revenue was re-calculated based on the adjusted purchased  
6 power costs, it was necessary to neutralize the effect of revenue from the adjustor during the test year.  
7 As a result, the PPCA over/under recovery balance from the beginning of 2013 to the end of 2013  
8 resulted in an over recovery of revenue from the PPCA. A corresponding adjustment for the same  
9 dollar amount in the opposite direction was necessary to zero out the effect of the PPCA balance  
10 during the test year.

11 28. Staff was also able to verify the increase in base revenue from the test year reported  
12 revenue. The \$262,114 increase to base revenue was directly related to the fact that the new rates  
13 approved in New Mexico were not in effect throughout all of calendar year 2013. New Mexico base  
14 revenue was increased \$324,216 to account for a full year of new rates in effect. At the same time,  
15 Arizona revenue was decreased \$62,102. The majority of the decrease was attributable to billing  
16 adjustments.

17 29. NEC and Staff agree on the definition of base revenue and agree the base cost of  
18 power should remain unchanged from that established in Decision No. 73255.

19 30. NEC and Staff agree on the methodology utilized to re-state the PPCA.

20 Rate Design

21 31. NEC's proposed increase is below the maximum increase of 6% permitted under Rule  
22 107. Also in accordance with Rule 107, monthly customer charge increases for the residential rate  
23 class are less than 25% and there are no changes requested to the percentage relationship of the rate  
24 blocks. NEC did not propose any rate structure change or non-price tariff change.

25 32. NEC and Staff agree on the rates set forth in Exhibit A, which is attached hereto and  
26 incorporated herein.

27 ...

28 ...

Staff Engineering

33. Staff physically inspected NEC's distribution facilities on October 15, 2014. Staff evaluated the Cooperative from an engineering perspective based on key metrics, an analysis of construction expenditures included in PIS, analysis of data provided by NEC through discovery as well as a facilities inspection.

34. Based on its analysis, Staff concluded that NEC:

- A. has a robust process for identifying and approving needed capital projects;
- B. is operating and maintaining its electrical system properly and all projects inspected were in service and being used and that the costs of the projects are reasonable;
- C. has, since its last rate case, developed its system with a focus on improving reliability, including pole inspection and replacement program, reconductoring projects, and sectionalization improvements; and
- D. has an acceptable level of system losses, consistent with industry guidelines along with reliability indices being within acceptable limits.

35. Staff has recommended the projects constructed and included in PIS since NEC's last rate case be found used and useful in the Cooperative's provision of service.

Rate Base, Revenues, and Expenses

36. The Application requested a system-wide rate base of \$87,400,193, adjusted test year total revenues of \$55,011,125 and expenses of \$52,192,171.

37. NEC and Staff are in agreement on the proposed rate base, revenues, and expenses and Staff recommends adoption. However, Staff highlighted the need for future filings to incorporate lower rate case expense as a result of the streamlined rate case process.

Revenue Requirement and Rate of Return

38. NEC proposed a revenue requirement of \$56,657,818. The proposed revenue requirement would produce an operating margin of \$1,886,594 for a 2.16% rate of return on an original cost rate base of \$87,400,193 and system-wide operating income of \$4,465,647 (Staff

1           39.     calculated the rate of return on operating margin leading to a 2.16% rate of return  
2 while NEC calculated the rate of return on operating income leading to a 5.11% rate of return).

3           40.     NEC's proposed revenue would produce a 1.75 times interest earned ratio and a 1.67  
4 debt service coverage ratio.

5           41.     Staff has recommended adoption of NEC's proposed revenue requirement.

6 Consumer Services

7           42.     Staff reviewed the Commission's records between January 1, 2011, and December 31,  
8 2014, and found 55 complaints during that period of time. All of those complaints have been  
9 resolved and closed. To date in 2015, Consumer Services has not received any additional complaints.

10          43.     As noted above, Consumer Services received 15 customer opinions in opposition to  
11 the Application which was within the limits to proceed under Rule 107. The Corporations Division of  
12 the Commission finds the Cooperative in "Good Standing".

13 **CONCLUSIONS**

14          44.     NEC's application is in compliance with Rule 107 allowing NEC's rate case to be  
15 processed under the alternative streamlined process.

16          45.     NEC and Staff are not requesting a hearing in this matter.

17          46.     NEC's OCRB and FVRB are determined to be \$87,400,193.

18          47.     NEC's proposed rate increases for each customer class are within the guidelines  
19 established in Rule 107.

20          48.     During the thirty (30) days customers had in which to object to the rate increase, only  
21 15 customers filed objections which is below the number required to cease processing under Rule 107.

22          49.     Staff is in agreement with NEC's proposed rate base of \$87,400,193, adjusted test year  
23 total revenues of \$55,011,125, and expenses of \$52,192,171.

24          50.     The rates and charges approved herein will produce an operating margin of \$1,886,594  
25 for a 2.16% rate of return on an original cost rate base of \$87,400,193 and system-wide operating  
26 income of \$4,465,647 (Staff calculated the rate of return on operating margin leading to a 2.16% rate  
27 of return while NEC calculated the rate of return on operating income leading to a 5.11% rate of  
28 return).

1           51.     The rates and charges approved herein will produce a 1.75 times interest earned ratio  
2 ("TIER") and a 1.67 debt service coverage ratio ("DSC").

3           52.     The rates and charges approved herein will increase revenues by \$1,908,652 or a 4.0%  
4 increase in actual base revenue (the increase is \$1,646,693 over adjusted base revenue).

5           53.     Staff's recommendations should be adopted.

6           54.     The rate design proposed by NEC and agreed to by Staff should be adopted.

7           55.     The base cost of power should remain at \$0.066160 per kWh.

8           56.     Under the rates approved herein, residential customers will experience a rate increase  
9 of \$2.67.

10          57.     NEC and Staff are in agreement that a hearing is not requested in this case.

11                               **CONCLUSIONS OF LAW**

12          1.     Navopache Electric Cooperative Inc. is a public service corporation within the  
13 meaning of Article XV of the Arizona Constitution and A.R.S. §§ 40-250 and 40-251.

14          2.     The Commission has jurisdiction over Navopache Electric Cooperative, Inc. and the  
15 subject matter of the Application.

16          3.     Notice of the Application was given in accordance with law.

17          4.     The rates and charges authorized herein are just and reasonable.

18          5.     It is just and reasonable and in the public interest to approve the rates and charges set  
19 forth in Exhibit A.

20          6.     Navopache Electric Cooperative Inc.'s. Application meets the requirements of  
21 A.A.C.R14-2-107.

22                               **ORDER**

23          IT IS THEREFORE ORDERED that Navopache Electric Cooperative, Inc. is hereby  
24 directed to file, on or before, April 1, 2015, tariffs with a new schedule of rates and charges consistent  
25 with Exhibit A

26          IT IS FURTHER ORDERED that the revised schedules of rates and charges shall be  
27 effective for April 2015 usage billed on or after May 1, 2015.  
28



1 IT IS FURTHER ORDERED that Navopache Electric Cooperative, Inc. shall notify its  
2 customers of the revised schedules of rates and charges authorized herein by means of an insert, in a  
3 form acceptable to Staff, included in its next scheduled billing after a Decision in this case is effective  
4 and by posting on its website.

5 IT IS FURTHER ORDERED that Navopache Electric Cooperative, Inc.'s base cost of  
6 power remains at \$0.066160 per kWh.

7 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

8 **BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION**

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11 CHAIRMAN

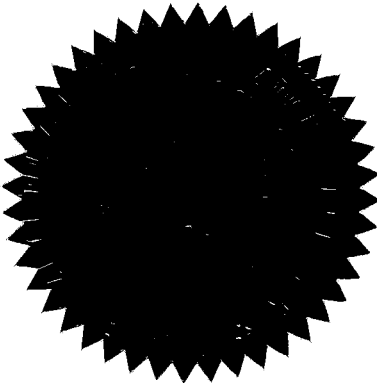
10   
11 COMMISSIONER

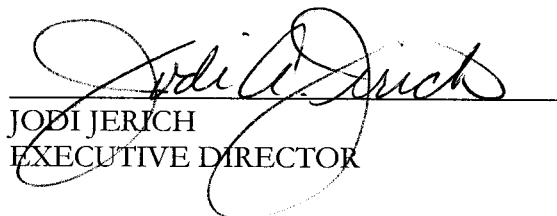
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13 COMMISSIONER

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14 COMMISSIONER

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14 COMMISSIONER

15 IN WITNESS WHEREOF, I, JODI JERICH, Executive  
16 Director of the Arizona Corporation Commission, have  
17 hereunto, set my hand and caused the official seal of this  
18 Commission to be affixed at the Capitol, in the City of  
19 Phoenix, this 16th day of March, 2015.



20   
21 JODI JERICH  
22 EXECUTIVE DIRECTOR

23 DISSENT: \_\_\_\_\_

24 DISSENT: \_\_\_\_\_

25 SMO:RSP:vsc\RWG  
26  
27  
28

1 SERVICE LIST FOR: Navopache Electric Cooperative, Inc.  
2 DOCKET NO. E-01787A-14-0302

3 Mr. Michael A. Curtis  
4 Mr. William P. Sullivan  
5 Attorneys for Navopache Electric Cooperative, Inc.  
6 Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.  
7 501 East Thomas Road  
8 Phoenix, Arizona 85012-3205

9 Ms. Lyn A. Farmer, Esq.  
10 Chief Administrative Law Judge  
11 Hearing Division  
12 Arizona Corporation Commission  
13 1200 West Washington Street  
14 Phoenix, Arizona 85007

15 Mr. Steven M. Olea  
16 Director, Utilities Division  
17 Arizona Corporation Commission  
18 1200 West Washington Street  
19 Phoenix, Arizona 85007

20 Ms. Janice M. Alward  
21 Chief Counsel, Legal Division  
22 Arizona Corporation Commission  
23 1200 West Washington Street  
24 Phoenix, Arizona 85007

NAVOPACHE ELECTRIC COOPERATIVE, INC.

	<u>Approved Rates</u>		
	<u>Power Supply</u>	<u>Dist Wires</u>	<u>Total</u>
<b>RESIDENTIAL</b>			
<u>Residential</u>			
Customer Charge	\$0.000000	\$ 22.17	\$ 22.17
Energy Charge 1-400 kWh	\$ 0.05400	\$ 0.02458	\$ 0.07858
Energy Charge Over 400 kWh	\$ 0.08500	\$ 0.03407	\$ 0.11907
<u>Time of Use (TOU)</u>			
Customer Charge	\$ -	\$ 28.67	\$ 28.67
Energy Charge On-Peak kWh	\$ 0.13480	\$ 0.00959	\$ 0.14439
Energy Charge Off-Peak kWh	\$ 0.02900	\$ 0.02684	\$ 0.05584
<u>Residential TOU 12 Month</u>			
Customer Charge	\$ -	\$ 28.67	\$ 28.67
Energy Charge On-Peak kWh	\$ 0.13480	\$ 0.00959	\$ 0.14439
Energy Charge Off-Peak kWh	\$ 0.02900	\$ 0.02684	\$ 0.05584
<b>COMMERCIAL AND INDUSTRIAL</b>			
<u>Commercial &amp; Industrial</u>			
Customer Charge	\$ -	\$ 124.00	\$ 124.00
Demand Charge (kW)	\$ 2.50	\$ 7.65	\$ 10.15
Energy Charge First 300 kWh per kW	\$ 0.07500	\$ 0.00640	\$ 0.08140
Energy Charge Over 300 kWh per kW	\$ 0.02600	\$ 0.00446	\$ 0.03046
<u>Commercial &amp; Industrial-Primary</u>			
Customer Charge	\$ -	\$ 252.00	\$ 252.00
Demand Charge (kW)	\$ 2.50	\$ 7.65	\$ 10.15
Energy Charge First 300 kWh per kW	\$ 0.07500	\$ 0.00640	\$ 0.08140
Energy Charge Over 300 kWh per kW	\$ 0.02600	\$ 0.00446	\$ 0.03046
Primary Discount - Demand & Energy	-3.00%	-3.00%	-3.00%
<u>Commercial &amp; Industrial-TOU</u>			
Customer Charge	\$ -	\$ 160.00	\$ 160.00
Demand Charge (kW)	\$ 2.35	\$ 7.70	\$ 10.05
Demand Charge - On Peak (kW)	\$ 14.50	\$ -	\$ 14.50
Energy Charge (kWh)	\$ 0.02350	\$ 0.00329	\$ 0.02679
<u>Commercial &amp; Industrial-TOU-Primary</u>			
Customer Charge	\$ -	\$ 252.00	\$ 252.00
Demand Charge (kW)	\$ 2.35	\$ 7.70	\$ 10.05
Demand Charge - On Peak (kW)	\$ 14.50	\$ -	\$ 14.50
Energy Charge (kWh)	\$ 0.02350	\$ 0.00329	\$ 0.02679
Primary Discount - Demand & Energy	-3.00%	-3.00%	-3.00%

NAVOPACHE ELECTRIC COOPERATIVE, INC.

	<u>Approved Rates</u>		
	<u>Power Supply</u>	<u>Dist Wires</u>	<u>Total</u>
<b><i>SMALL COMMERCIAL</i></b>			
<u>Small Commercial</u>			
Customer Charge	\$ -	\$ 27.23	\$ 27.23
Energy Charge (kWh)	\$ 0.06380	\$ 0.03446	\$ 0.09826
<u>Small Commercial-TOU 6 Month</u>			
Customer Charge	\$ -	\$ 36.78	\$ 36.78
Energy Charge - kWh On Peak (Billed Nov-April)	\$ 0.12380	\$ 0.03130	\$ 0.15510
Energy Charge - kWh Off Peak (Billed Nov-April)	\$ 0.02880	\$ 0.03674	\$ 0.06554
Energy Charge kWh (Billed May-Oct)	\$ 0.06380	\$ 0.03446	\$ 0.09826
<u>Small Commercial-TOU 12 Month</u>			
Customer Charge	\$ -	\$ 36.78	\$ 36.78
Energy Charge - kWh On Peak	\$ 0.12380	\$ 0.03130	\$ 0.15510
Energy Charge - kWh Off Peak	\$ 0.02880	\$ 0.03674	\$ 0.06554
<b><i>IRRIGATION AND WATER PUMPING</i></b>			
<u>Irrigation &amp; Water Pumping</u>			
Customer Charge	\$ -	\$ 40.23	\$ 40.23
Demand Charge (kW)	\$ 5.00	\$ 0.24	\$ 5.24
Energy Charge (kWh)	\$ 0.04980	\$ 0.04450	\$ 0.09430
<u>Irrigation &amp; Water Pumping-TOU</u>			
Customer Charge	\$ -	\$ 45.23	\$ 45.23
Demand Charge (kW)	\$ 2.40	\$ 3.10	\$ 5.50
Demand Charge - On Peak (kW)	\$ 8.80	\$ 0.63	\$ 9.43
Energy Charge (kWh)	\$ 0.02230	\$ 0.01984	\$ 0.04214

NAVOPACHE ELECTRIC COOPERATIVE, INC.

	<u>Approved Rates</u>		
	<u>Power</u> <u>Supply</u>	<u>Dist</u> <u>Wires</u>	<u>Total</u>
<b>LIGHTING</b>			
<u>Security Lights - Consumer Owned</u>			
175 Watt MVL - 75 kWh/Month	\$ 4.35	\$ 4.74	\$ 9.09
250 Watt MVL - 110 kWh/Month	\$ 6.38	\$ 5.39	\$ 11.77
400 Watt MVL - 175 kWh/Month	\$ 10.15	\$ 9.13	\$ 19.28
100 Watt HPS - 34 kWh/Month	\$ 1.97	\$ 3.92	\$ 5.89
150 Watt HPS - 50 kWh/Month	\$ 2.90	\$ 5.43	\$ 8.33
250 Watt HPS - 85 kWh/Month	\$ 4.93	\$ 6.03	\$ 10.96
<u>Security Lights - Cooperative Owned</u>			
175 Watt MVL - 75 kWh/Month	\$ 4.35	\$ 6.63	\$ 10.98
250 Watt MVL - 110 kWh/Month	\$ 6.38	\$ 7.95	\$ 14.33
400 Watt MVL - 175 kWh/Month	\$ 10.15	\$ 13.03	\$ 23.18
100 Watt HPS - 34 kWh/Month	\$ 1.97	\$ 7.16	\$ 9.13
150 Watt HPS - 50 kWh/Month	\$ 2.90	\$ 8.67	\$ 11.57
250 Watt HPS - 85 kWh/Month	\$ 4.93	\$ 9.26	\$ 14.19
<u>Security Lights - Pole Charges</u>			
Pole Charges	\$ -	\$ 4.17	\$ 4.17
<u>Street Lights - Cooperative Owned</u>			
175 Watt MVL - 75 kWh/Month	\$ 4.35	\$ 6.63	\$ 10.98
250 Watt MVL - 110 kWh/Month	\$ 6.38	\$ 6.91	\$ 13.29
400 Watt MVL - 175 kWh/Month	\$ 10.15	\$ 13.03	\$ 23.18
1000 Watt Lamp - 435 kWh/Month	\$ 25.23	\$ 16.67	\$ 41.90
<u>Street Lights - Consumer Owned</u>			
100 Watt HPS - 34 kWh/Month	\$ 1.97	\$ 3.92	\$ 5.89
150 Watt HPS - 50 kWh/Month	\$ 2.90	\$ 5.43	\$ 8.33
250 Watt HPS - 85 kWh/Month	\$ 4.93	\$ 6.03	\$ 10.96